

Title Insurance Investigations

| I Case # | Alleged Violations | Priority | Date Opened | Date Closed | Staff Member | E-Case # | Recommended Action | Violations |
|----------|---|----------|-------------|-----------------------|--------------|--------------------|---|---|
| 51841 | Fiduciary violations | Medium | 8/4/04 | 12/6/06 | Sheila | | Close case, relook at it at a later date | 31A-23a-103 31A-23a-503 31A-23a-411 31A-23a-406 31A-2-202(6) 31A-23a-302 31A-23a-402(2)(C)(I) |
| 52188 | Fraud by escrow agent | High | 4/20/05 | 11/28/06 | Terri | | Referral to fraud. All issues being address by case number 53444 | 31A-31-103 |
| 52189 | Fraud by escrow agent | High | 4/20/05 | 11/28/06 | Terri | | Referral to fraud. All issues being addressed by case number 53444 | 31A-31-103 |
| 52190 | | High | 4/21/05 | | Gerri | | REVIEW FILE | |
| 52193 | Failure to report defalcation of underwriter premiums from premium trusts account. Failure to maintain adequate records or to reconcile trust accounts in a manner to protect the funds. See Related Cases. | High | 4/22/05 | Related Case 10/11/06 | Gerri | Related Case #1832 | | 31A-23a-111.1(1) 31A-31-103(1)(f) |
| 52800 | Possible fraud need escrow file (double HUDs) | High | 1/17/06 | 11/28/06 | Sheila | | Received complaint in 2005, never worked. Close case. | 31A-23a-406(5)(c) |
| 52818 | Consumer alleges he signed to have \$27,0850.00 taken from an escrow account to purchase property on a 1031 exchange. Changed the amount to reflect \$27,4958.26 without the buyers consent. \$4,108.26 more than he planned to pay for the property. | Medium | 1/20/06 | | Sheila | | | 31A-23a-406(5)(c) |
| 52833 | Construction owner built a home but was sold to another buyer before he was paid. Lien problem. | Medium | 1/26/06 | 11/28/06 | Terri | | No lien in place when the home closed. This is a civil issue. Case closed. Tm | R590-99 |
| 52843 | Fraudulent HUDS-sales price and funds from borrower fabricated. | High | 1/26/06 | | Gerri | | | 31A-31-103-(1)(3) |
| 52844 | Real estate Inv Closed and insured over a "right of first refusal". Note: Commitment shows it as an exception. None of the entities in the transaction are registered with Commerce. | High | 1/26/06 | 2/1/07 | Sheila | | Close case, to old and no evidence found. | 31A-23a-409 |
| 52846 | Failure to follow closing instructions, improper prorating of rents - possible straw buyer/fraud | High | 1/26/06 | 11/28/06 | Sheila | | Received complaint in 2004. Closing case since it has not been worked for over two years. | 31A-23a-402(2)(c)(i)(a) |
| 52849 | Flip, good funds violation, insurance fraud, mortgage fraud | High | 1/26/06 | | Sheila | | | 31A-23a-402(5)(b) |
| 52850 | Lets docs out to brokers, forgery, backdating | High | 1/26/06 | 1/31/07 | Terri | | This is a very old case where no evidence can support the claim. Case Closed | 31A-23a-402(2)(a)(I) |
| 52852 | Made "last minute" reconveyances of title to a property under contract that ultimately would close. Failed to disclose the reconveyances to the lender. | Medium | 1/26/06 | | Sheila | | | 31A-23a-406(5)(c) |
| 52853 | Mechanics Lien on property that was not paid at closing. | Medium | 1/26/06 | | Gerri | | | 31A-23a-402(1)(a)(i)(ii)(B)(I)(II)(III) |
| 52856 | Improperly filed a Notice of Release of Lien & Substitution of Alternate Security and Affidavit of Deposit. Mechanics lien, lis pendants and judicial foreclosure action against property was ignored and insured over. | Medium | 1/27/06 | 12/11/06 | Sheila | | No further response from builder. Close case. | 31A-23a-406(5)(c) |
| 52861 | Failure to follow closing instructions, possible fraud | Medium | 1/27/06 | | Sheila | | | 31A-23a-402(2)(c)(i)(A) |
| 52865 | Improper disbursement. | Medium | 1/27/06 | | Gerri | | REVIEW FILE | |
| 52869 | Charged for Lender's and Owner's policies - never issued or received by Lender or Buyer. | Medium | 1/27/06 | | Gerri | | | 31A-23a-407 31A-23a-411.1(1) |

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| 52878 | Possible Flip | Medium | 1/27/06 | | Sheila | | | 31A-23a-406(5)(b) |
| 52888 | Realtor is getting kickbacks of \$300/closing | Medium | 1/31/06 | 11/28/06 | Sheila | | No action / not enough proof | 31A-23a-402(2)(c)(i)(A) |
| 52890 | Giving kickbacks to mortgage broker. | Medium | 1/31/06 | | Gerri | | | 31A-23a-402(2)(c) |
| 52897 | Escrow officer released closing docs to Loan officer, who portrayed himself as an escrow officer. Principles filed for divorced three days later. Allegation of fraud/misrepresentation. | Medium | 1/31/06 | | Gerri | | | 31A-23a-406(7)(b) 31A-23a-107 |
| 52904 | Fiduciary violation, unauthorized funds transfer | Low | 1/31/06 | | Sheila | | | 31A-23a-402(2)(c)(i)(A) |
| 52906 | Failure to pay off liens (Approx. \$451), as required by escrow instructions. | Low | 1/31/06 | | Gerri | | | 31A-23a-409(1)(d)(ii) |
| 52910 | Diverted funds from seller's proceeds to cover shortage from buyer - now cannot collect. Split | Low | 2/1/06 | | Sheila | | | 31A-23a-409(1)(d)(ii) |
| 52929 | Not charging Builder a closing fee. | Medium | 2/7/06 | | Sheila | | | 31A-23a-402(2)(c)(i)(A) |
| 52935 | Controlled business relationship with builder. | Medium | 2/8/06 | 3/20/07 | Sheila | | Since this is an old case and builder is out of business I will close this case. | 31A-23a-503 |
| 52942 | Agency will not release earnest money deposit to seller per REPC Addendums 2, 7 & 8. | Low | 2/8/06 | | Gerri | | | 31A-23a-409(1)(d)(ii) |
| 52946 | Kickbacks, closed on double HUDs / failure to pay off liens | Medium | 2/8/06 | | Sheila | | | 31A-23a-402(2)(c)(B) 31A-23a-406(5)(c) R590-99 |
| 52949 | Insured over two lis pendens - two active court cases. | High | 2/8/06 | | Gerri | | | R590-99-B. 31A-23a-402(8)(a)(v) |
| 52951 | Escrow Officer released docs to loan officer to close. | High | 2/8/06 | | Gerri | | | 31A-23a-107 31A-23a-406(7)(b) |
| 52953 | Co-habitation of office space with lender, Realtors. Also discount rates for loan officers and realtors involved Company flyers in the Realtors' offices | High | 2/8/06 | | Sheila | | | 31A-23a-402(2)(c)(i)(A) R590-153-5-C. R590-153-6-E. |
| 52959 | Improper/unauthorized disbursement | High | 2/8/06 | | Gerri | | | 31A-23a-409(1)(d)(ii) |
| 52961 | Respondent aided a former employee in representing a transaction as a purchase when it was a lease. | High | 2/8/06 | | Gerri | | | 31A-23a-402(1)(a)(i)(ii)(B)(I)(II)(III) 31A-31-103(1)(a) |
| 52962 | Breach of fiduciary duty - failure to follow escrow instructions | High | 2/8/06 | | Sheila | | | 31A-23a-402(2)(c)(i)(A) |
| 52963 | Setting up LLCs for clients thru his agency & not his law practice and writing unauthorized title insurance. Also employees, not designated to his agency license. | High | 2/8/06 | | Sheila | | | 31A-23a-302 & 31A-23a-503 |
| 52990 | Did not record deed correctly in 1982, 1983. | Low | 2/16/06 | | Gerri | | REVIEW FILE | |
| 52991 | Agency owner was to have divested ownership 2/25/05. Related cases #53004, #53005, #53006. | High | 1/23/06 | | Gerri | | | 31A-23a-107(2) 31A-23a-402(1)(a)(i)(ii) 31A-23a-406(5)(c) |
| 53004 | Respondent's title search and title escrow licenses were revoked 2/25/05. The order also placed marketing license on probation for 24 months. | High | 1/23/06 | | Gerri | | | 31A-23a-107(2) 31A-23a-112(4) 31A-23a-402(1)(a)(i)(ii) 31A-23a-406(5)(c) 31A-23a-406(7)(b) |
| 53005 | Failed to comply with terms of Docket No. 2005-2 PC, E-Case No. 1548. Violation of Probation: Failed to provide department with Ethics CE verification. Good funds violations. Fiduciary violations. See related cases 52991, 53004, 53006 | High | 1/23/06 | | Gerri | | | 31A-23a-107(2) 31A-23a-112(4) 31A-23a-402(1)(a)(i)(ii) 31A-23a-406(5)(a) 31A-23a-406(5)(c) |
| 53006 | Fiduciary violations. See related cases #52991, #53004, #53005. | High | 1/23/06 | | Gerri | | | 31A-23a-107(2) 31A-23a-406(4)(b) |

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| 53042 | Facilitated fraud. Failure to pay off mechanics liens, paid off sub-contractors who did not perform work in subdivision, inflated invoices to lender. Cooperative investigation with AG's office. | High | 7/6/05 | | Gerri | | | 31A-23a-402(1)(a)(i)(ii)(B)(I)(II)(III) 31A-31-103(1)(a) |
| 53086 | Failure to deposit escrow trust funds. | High | 3/17/06 | | Gerri | | | 31A-23a-409(1)(d)(i)(ii) |
| 53109 | Double payment of taxes. Failure to return overage. | Medium | 3/24/06 | | Gerri | | | 31A-23a-409(1)(c) |
| 53110 | Double payment of 2005 property tax. Failure to return overage. | Medium | 3/24/06 | | Gerri | | | 31A-23a-409(1)(d)(ii) |
| 53147 | Disbursed without good funds resulting in a failed sale. | Medium | 4/6/06 | | Gerri | | | 31A-23a-406(5)(a)(b) |
| 53150 | Failure to disclose 30' easement in commitment. Diminutive appraisal came in \$10,000 less than orig. appraisal without the easement. Local insurer denied claim based on no loss of value. Home office agreed to reappraise; after reappraisal, would not respond or share reappraisal information with insured. | Medium | 4/7/06 | | Gerri | | | 31A-20-110(1) 31A-23a-406(4)(b) |
| 53153 | Mortgage Co. LC-Complainant Brokers proceeds were wired to an unlicensed broker in California against lender's instructions. | Medium | 4/7/06 | | Sheila | | | 31A-23a-406(3)(b) |
| 53154 | Garnishment was debited from the proceeds of the wrong entity at the close of escrow; however, it was the correct individual. | Low | 4/7/06 | 1/19/07 | Gerri | | | 31A-23a-409(1)(d)(ii) |
| 53155 | Second MoSecond Mortgage was recorded that was never closed. Possible Fraud. Unlicensed individual conducted the closing (now licensed). | High | 4/7/06 | | Gerri | | | 31A-31-103(1)(a) 31A-31-103(1)(c) 31A-23a-406(7)(b) |
| 53156 | Unreasonable delays on a split closing. Did not receive all closing documents. | Low | 4/7/06 | | Gerri | | | 31A-23a-409(1)(d)(ii) |
| 53159 | Disbursement delay (concessions check). Closed 7/11/06, check received 8/8/06. | Low | 4/7/06 | | Gerri | | | 31A-23a-409(1)(d)(ii) |
| 53161 | Water rights were not transferred at closing in compliance with the REPC. | Medium | 4/7/06 | | Gerri | | | 31A-23a-406(4)(a)(b) |
| 53162 | Large fees were incorporated into the purchase price against the purchase agreement terms. Title company was advised to go by the purchase agreement terms and consumer was told they don't go by that. They go by a sheet given to them from the builder. Tit | High | 4/7/06 | 11/28/06 | Terri | | Closed due to no proof of collusion. By signing the closing papers and accepting the enhancements to the property by the builder. He has no real issue. | 31A-23a-402(2)(a)(I) |
| 53164 | Title agency claims to have lost complainant's closing docs; has never received signed copies. | Low | 4/10/06 | | Gerri | | | 31A-23a-406(4)(b) 31A-23a-412(5)(a) |
| 53165 | Lender reports title agency is using escrow officers with expired licenses in several of their branches. | Low | 4/10/06 | | Gerri | | | 31A-23a-103(1)(a)(c) |
| 53202 | Fiduciary / fraud | High | 4/20/06 | | Sheila | | | 31A-23a-406(3)(b) |
| 53203 | Allegation of fraud; long on dissertation, short on facts. Appears to be a civil matter. | Low | 4/20/06 | 1/18/07 | Gerri | | Refer to civil | 31A-23a-402(1)(a)(i)(ii)(B)(I)(II)(III) |
| 53204 | Failure to payoff sub-contractor liens on purchase from builder. Related case #53441. | High | 4/21/06 | 11/28/06 | Terri | | Issue referred to fraud for double HUDs | R590-99 |
| 53226 | Received files from the real estate division on possible fraud | High | 5/3/06 | | Sheila | | | 31A-23a-406(3)(b) |
| 53425 | Consumer writes in concerned that escrow agent was being so nice in this transaction that he had to be doing something wrong. Requested the cash sale go through his Title company back in July of 2005. Possible conflict of interest. | Low | 6/26/06 | 11/28/06 | Terri | | Transaction never took place. Case closed | 31A-406 31A-402 31A-401 31A-503 |
| 53427 | Directed and facilitated an unlicensed individual to conduct closings and notarization of falsified documents without witnessing signatures for a mortgage broker, who is currently serving a prison sentence for her crimes. See 53428 & 53429 | High | 6/26/06 | | Gerri | | | 31A-23a-103(1)(c) 31A-23a-406(7)(a)(b) 31A-31-103(1)(a) |

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|----------|--|----------|-------------|-------------|--------------|----------|--|---|
| 53428 | Directed and facilitated an unlicensed individual to conduct closings and notarization of falsified documents without witnessing signatures for a mortgage broker, who is currently serving a prison sentence for her crimes. See #53429 & 53427 | High | 6/26/06 | | Gerri | | | 31A-23a-103(1)(c) 31A-23a-406(7)(a)(b) 31A-31-103(1)(a) |
| 53429 | While an unlicensed individual employed by title agency, conducted closings and notarization of falsified documents without witnessing signatures for a mortgage broker, who is currently serving a prison sentence for her crimes. See #53427 & 53428 | High | 6/26/06 | | Gerri | | | 31A-23a-103(1)(c) 31A-23a-406(7)(a)(b) 31A-31-103(1)(a) |
| 53430 | Completed false notary certificates, recorded documents she knew to be fraudulent and utilized the services of an unlicensed individual for services requiring a license. | High | 6/26/06 | | Gerri | | | 31A-23a-406(7)(a)(b) 31A-31-103(1)(c) |
| 53431 | Was given a settlement statement that was not the final correct one. | Medium | 6/26/06 | | Gerri | | | 31A-23a-406(5)(c) |
| 53432 | Failure to release funds held in escrow for repairs upon the expiration of the Holding Escrow Instruction. Resolved by agency. | Medium | 6/26/06 | 11/28/06 | Gerri | | | 31A-23a-406(4)(b) |
| 53434 | Closed a transaction with fraudulent Social Security Cards. Related Case #53435 | High | 6/26/06 | | Gerri | | | 31A-23a-406(7)(b) |
| 53435 | Closed a transaction with fraudulent Social Security Cards. Related Case #53434 | High | 6/26/06 | | Gerri | | | 31A-23a-406(7)(b) |
| 53436 | Illegal flipping. Related Case #53437 | High | 6/26/06 | | Gerri | | | 31A-23a-406(5)(b) |
| 53437 | Illegal flipping. Related Case #53436 | High | 6/27/06 | | Gerri | | | 31A-23a-406(5)(b) |
| 53438 | Illegal flipping. Related Case #53439 | High | 6/27/06 | | Gerri | | | 31A-23a-406(5)(b) |
| 53439 | Illegal flipping. Related Case #53438 | High | 6/27/06 | | Gerri | | | 31A-23a-406(5)(b) |
| 53440 | Title officer re-wrote legal description showing ingress and egress to the subject property, where none existed. | Medium | 6/27/06 | 4/20/07 | Gerri | | | 31A-23a-402(1)(a)(ii)(B)(I)(II)(III) |
| 53441 | Failure to payoff sub-contractor liens on purchase from Caliber Homes. Related Controlling Case 53204. | High | 6/28/06 | 11/28/06 | Terri | | Referred to fraud for double HUDS | |
| 53444 | Failure to timely disburse. Split Unpaid escrow monies. Trust and solvency issues. Audit | High | 6/28/06 | 12/20/2006 | Terri | 1938 | Open an E-case. Close agency down then refer to fraud. | 31A-23a-111(5)(b)(i)(iii)(xii)(xvi)(B) 31A-23a-406(5)(c) 31A-23a-409(6) 31A-23a-204(3)(a)(I) |
| 53445 | Failure to timely disburse. Split | Medium | 6/28/06 | 11/28/06 | Terri | | Referred to fraud, all issues being addressed with case 53444. | 31A-23a-406(5)(b) |
| 53446 | Diverted borrower's earnest money deposited in Escrow to builder/seller. Related case #53447 and 53448 | High | 6/28/06 | | Gerri | | | 31A-23a-409(1)(d)(ii) |
| 53447 | Diverted borrower's earnest money deposited to builder/seller. Related Case #53446 and 53448 | High | 6/28/06 | | Gerri | | | 31A-23a-409(1)(d)(ii) |
| 53448 | Diverted borrower's earnest money deposited to builder/seller. Related Case #53446 and 53447 | High | 6/28/06 | | Gerri | | | 31A-23a-409(1)(d)(ii) |
| 53475 | Co-habitation with a licensed mortgage broker. | Medium | 7/7/06 | | Gerri | | | 31A-23a-402(5)(a)(i)(ii)(b) & 31A-23a-402(8)(a)(v) |
| 53476 | Co-habitation with a licensed mortgage broker. | Medium | 7/7/06 | | Gerri | | | 31A-23a-402(5)(a)(i)(ii)(b) & 31A-23a-402(8)(a)(v) |
| 53480 | Sharing office space with builder / developer / mtg | High | 7/11/06 | | Terri | | | 31A-23a-402(2)(c)(i)(A) |
| 53511 | Refused to record WD and loan docs due to seller's attorney instructing him not to, due to Alyson Draper's refusal to amend escrow instructions to include a complete release of liability in favor of the sellers and their agents who failed to perform work necessary to bring the house up to standards set out in the REPC. | Low | 7/19/06 | | Sheila | | | 31A-23a-406(5)(c) R590-99-B. |
| 53597 | Claims that title agency did not disclose liens on their property. The underwriter says they bought a policy that will protect them. | Medium | 8/17/06 | | Sheila | | | R590-99-B. 31A-23a-402(1)(ii)(b) |

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| 53608 | Complainant claims name is still on the title after closing her property. States quit claim to the seller was done prior to the closing, but somehow ended up lost. | Medium | 8/22/06 | | Terri | | | R590-99 |
| 53609 | 30 foot easement on property was not disclosed in settlement. Claim was filed. Complaint has filed with us for Underwriter's failure to address the claim. | Low | 8/22/06 | 11/28/06 | Terri | | Complaint took place in 2004. Complainant will not return my calls regarding the status of this complain, case closed | R590-190 |
| 53639 | Complains title order was circumvented by a Utah Lending company. Resulting in addendums not being added to the settlement. Complains closing was done with buyer representative present to insure accuracy. | Low | 9/5/06 | 4/4/07 | Terri | | Seem both parties are at fault in this miscommunication Closed as unable to prove a violation on a specific party | 31A-23a-406(5)(c) |
| 53665 | Respondent facilitated a fraudulent real estate transaction, created and provided false and misleading information to a lender. | High | 9/12/06 | | Gerri | | | 31A-23a-402(1)(a)(i)(ii)(B)(I)(II)(III) |
| 53700 | Unified Title & Settlement is conducting closings in the state with out a license. They are an online service that sends out Notary's. | low | 9/27/06 | 9/27/06 | Sheila | 1848 | Referred to DFI, no Insurance department violation. | 31A-23a-103(1)(a) |
| 53738 | Secondary marketing entity reported that on numerous transactions, the Schedule A of the commitments shows borrower being in title, when in fact, county records show title holder is the builder. | High | 10/13/06 | | Gerri | | | 31A-23a-402(1)(a)(i)(ii)(B)(I)(II)(III) 31A-31-103(1)(a) |
| 53739 | Internet solicitation by an unauthorized title insurer | Low | 10/13/06 | | Gerri | | | 31A-4-102(1) 31A-15-102(2) |
| 53740 | Fiduciary violation: Became involved in renegotiating terms of the sale after the loan had closed. | Medium | 10/13/06 | | Gerri | | | 31A-23a-406(4)(b) |
| 53759 | Willfully failed to follow lender's instructions by permitting secondary financing not allowed by lender. | High | 10/20/06 | | Gerri | | | 31A-23a-402(1)(a)(i)(ii)(B)(I)(II)(III) 31A-31-103(1)(a) |
| 53760 | Seller sold acreage to a developer to subdivide. Escrow Officer ignored a large trust deed and insured over. Fourteen NOD's have been filed against 14 properties in the subdivision. | High | 10/20/06 | | Gerri | | | 31A-23a-402(1)(a)(i)(ii)(B)(I)(II)(III) |
| 53761 | Discounted Owner's Policy premium (reissue rate). | High | 10/20/06 | | Gerri | | | 31A-23a-402(2)(c) |
| 53763 | Waived all settlement fees and discounted title policy. Split closing. | High | 10/20/06 | | Gerri | | | 31A-23a-402(2)(c) |
| 53764 | Escrow Officer facilitated numerous fraudulent transactions originated by various related mortgage brokers and loan originators. | High | 10/20/06 | | Gerri | | | 31A-23a-402(1)(a)(i)(ii)(B)(I)(II)(III) 31A-31-103(1)(a) |
| 53868 | Closed illegal flip transactions using straw buyers. | High | 11/9/06 | | Gerri | | Revocation of title and escrow license | 31A-23a-402(1)(a)(i)(ii)(B)(I)(II)(III) 31A-31-103(1)(a) |
| 53905 | Failure to close on time. | Low | 11/21/06 | 11/28/06 | Sheila | | No action | R590-99 |
| 53927 | Lender was informed by competing title agency that an Affidavit of Surviving Spouse was erroneously prepared and recorded by Respondent. An investigation determined that the allegation was unfounded. | Medium | 9/26/06 | 11/13/06 | Gerri | | | |
| 53928 | Failure to provide Deed of Reconveyance on a prior mortgage that was paid off at closing. | Medium | 6/30/06 | 7/7/06 | Gerri | | | R590-99 |
| 53929 | Failure to release funds held in escrow to the proper party per the terms of the REPC. | Medium | 11/27/06 | | Gerri | | | 31A-23a-409(1)(d)(ii) |
| 53930 | Theft of three files that had been originated by complainant upon respondent's change of employment. Demand made in the amount of \$5128 for lost revenue. No response from respondent. | Medium | 7/20/06 | 12/21/06 | Gerri | | | |
| 53932 | Failure to timely return closing documents and title policy corrections to lender. | Medium | 8/31/06 | 9/1/06 | Gerri | | | |

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| 53940 | Seller alleges he was defrauded out of equity in home in a non-arms-length transaction. Alleges collusion between Escrow Officer and Realtors. | High | 6/1/06 | | Gerri | | | 31A-31-103(1)(a) 31A-23a-402(1)(a)(i)(ii)(B)(I)(II)(III) |
| 53946 | Complainant says title agency release escrow funds with out their written consent. | Low | 11/27/06 | 12/6/06 | Sheila | | There were no written escrow instructions. Close case | 31A-23a-406(5)(c) |
| 53954 | Disbursement of funds to Park City Water and Snyder Basin Water - \$6,000. water connection fee. | Low | 11/29/06 | 2/28/07 | Sheila | | Agent followed instuctions. Buyer did not notice. Close case. | 31A-23a-406 (1) e |
| 53960 | Check cut from escrow file that the sellers where not aware of. Quit claim deed done with out the seller realizing what they were signing. Numerous other problems with the file. | High | 11/28/06 | | Sheila | | | 31A-23a-406(5)(c) 31A-23a-409(6) |
| 53961 | Check cut from escrow file that the sellers where not aware of. Quit claim deed done with out the seller realizing what they were signing. Numerous other problems with the file. | High | 11/28/06 | | Sheila | | | 31A-23a-406(5)(c) 31A-23a-409(6) |
| 53962 | Split closing. Non-arms-length transaction. Sellers are family. Orig REPC was rewritten and is not acknowledged by half of the sellers. \$30K EM check was post-dated and made payable to developer. Property has greenbelt status; therefore, roll-back taxes. Has been reported to DRE. Complainant disavows 2nd REPC. EO notarized docs, but did not witness signing. Related case #53968. | High | 11/15/06 | | Gerri | | | 31A-31-103(1)(a) 31A-23a-409(1)(d)(ii) 31A-23a-406(7)(b) |
| 53968 | Split closing. Non-arms-length transaction. Sellers are family. Orig REPC was rewritten and is not acknowledged by half of the sellers. \$30K EM check was post-dated and made payable to developer. Property has greenbelt status; therefore, roll-back taxes. Has been reported to DRE. Complainant disavows 2nd REPC. EO notarized docs, but did not witness signing. Related case #53962 | High | 11/15/06 | | Gerri | | | 31A-31-103(1)(a) 31A-23a-409(1)(d)(ii) 31A-23a-406(7)(b) |
| 53980 | Fraud: Unlicensed contractor sold lots in two subdivisions to straw buyers. Submitted to lender as owner-occupied construction loans. REPC is assigned and assignor takes \$14-21K as a "consulting fee". | High | 12/5/06 | | Gerri | | | 31A-23a-402(1)(a)(i)(ii)(B)(I)(II)(III) 31A-31-103(1)(a) |
| 53981 | Controlled business relationship, discounting rates | low | 12/6/06 | | Sheila | | | 31A-23a-503(1)(b) 31A-23a-402(2)(c)(i), 31A-23a-411(1) 31A-23a-302(2)(a) 31A-23a-103(1)(b) 31A-23a-406(1)(a) 31A-2-202(6) |
| 53985 | Complainant is owed some money from a title agency. Four checks where issued and all Four have been returned for insuffeicent funds. | Low | 12/6/06 | | Sheila | | | 31A-23a-406(4)(a) |
| 53989 | Possible earnest money violation. Money given to builder without consent of buyer, before contact expired. | Low | 12/12/06 | | Sheila | | | 31A-23a-406(3)(b) |
| 53991 | Title Agency did not get trust deeds out to lender in a timely manner. | Low | 12/13/06 | 12/13/06 | Sheila | | Close this case. | R590-99 |
| 53995 | Facilitated fraud. Straw buyer on several transaction, illegal property flipping. | High | 12/13/06 | | Gerri | | Refer to Fraud | 31A-23a-402(1)(a)(i)(ii)(B)(I)(II)(III) 31A-31-103(1)(a) |
| 54025 | Recorded deed in July, letter from recorders office rejected the recording for lack of legal description. The complaintant tried numerous time to get it resolved with the respondent, no one would talk to him. After he brought it to the attention of the realestate division and the mtg board and finally got a number of one of the CEO's of the title agency it was resolved within three days. smc | Low | 1/2/07 | 1/2/07 | Sheila | | Close this case. | R590-99 |

Title Insurance Investigations

| I Case # | Alleged Violations | Priority | Date Opened | Date Closed | Staff Member | E-Case # | Recommended Action | Violations |
|----------|---|----------|-------------|-------------|--------------|----------|---|---|
| 54037 | Title agency did not clear a Certificate of non compliance. This was suppose to be cleared before title was issued. The owners policy was also never issued, even though it was paid for. | Low | 1/8/07 | 1/8/07 | Sheila | | problem was resolved. The complaintant only wanted to file a complaint. Close case. | |
| 54068 | Mortgage elimination scheme. Referred to Fraud Division. Doug LeDoux made arrests in Oakland, CA. Perpetrators are currently incarcerated. | high | 1/24/07 | 1/24/07 | Gerri | | In the hands of Fraud | 31-31102 |
| 54078 | Liens not paid, HOA's billed to buyer for past due fees, tax lien that was not the buyers. \$2,500 loan to seller that was never paid back to buyer. | Medium | 1/29/07 | | Sheila | | | 31A-23a-406(5)(c) R590-99 |
| 54083 | Property sold by individual to brother of escrow agent. Escrow agent and other induvidual split \$20500.82 of the proceeds and an addition \$1200.00 for unknown reasons. \$124K was transferred to file #6660. | High | 1/26/07 | 2/22/07 | Terri | | Referred to fraud | 31A-23a-406(5)(c) |
| 54084 | Title agency closed on December 18,2006, as of January 26,2007 the lender has not received all of the endorsements. | Low | 1/31/07 | 1/31/07 | Sheila | | Close this case, all required documents were received by lender on 1/31/07 | R590-99-4(A) |
| 54086 | Sevier manipulation of proceeds | High | 1/31/07 | 3/13/07 | Terri | | Referred to fraud | 31A-23a-406(5)(c) |
| 54087 | Sevier Manipulation of proceeds | High | 1/26/07 | 3/13/07 | Terri | | Referred to fraud | 31A-23a-406(5)(c) |
| 54088 | Sevier manipulation of proceeds | High | 1/27/07 | 1/27/07 | Terri | | Referred to fraud | 31A-23a-406(5)(c) |
| 54089 | split \$20500.82 of the proceeds and an addition \$1200.00 for unknown reasons. \$124K was transferred to file #6660. | High | 1/26/07 | 1/31/07 | Terri | | Referred to fraud | 31A-23a-406(5)(c) |
| 54091 | Buyers were never informed of a private water main on their property. | Low | 2/1/07 | | Sheila | | | R590-99-4(b) |
| 54094 | Theft of trust monies | High | 1/26/07 | 2/22/07 | Terri | 1938 | Referred to fraud | 31A-23a-107(2) 31A-23a-111(5)(b)(xxiv) 31A-23a-402(1)(a)(i) |
| 54093 | Collected at closing, but failed to pay property taxes, now delinquent. Buyer paid, but unable to collect from Agency. | High | 2/1/07 | | Gerri | | | 31A-23a-409(1)(d)(ii) 31A-23a-409(6) |
| 54095 | stacking mortgages | High | 1/26/07 | 5/23/07 | Sheila | 1938 | Referred to fraud | 31A-23a-406(5)(c) |
| 54099 | Theft of trust monies | High | 2/5/07 | 2/22/07 | Terri | 1938 | Referred to fraud | 31A-23a-107 (1),(2) 31a-23-406 (5)(a) 31a-23-409 (6) |
| 54100 | Theft of trust monies | High | 2/5/07 | 2/22/07 | Terri | 1938 | Referred to fraud | 31a-23-409 (6) |
| 54101 | Theft of trust monies | High | 2/5/07 | 2/22/07 | Terri | 1938 | Referred to fraud | 31a-23-409 (6) 31A-23a-406.(5)(a) 31A-23a-107. (1)(2) |
| 54102 | Theft of trust monies | High | 2/5/07 | 2/22/07 | Terri | 1938 | Referred to fraud | 31a-23-406 (5)(a) 31a-23-107 (1)(2) 31a-23-409 (6) |
| 54103 | Theft of trust monies | High | 2/5/07 | 2/22/07 | Terri | 1938 | Referred to fraud | 31a-23-409 (6) 31A-23-406 (5)(a) 31A-23a-107 (1)(2) |
| 54104 | Theft of trust monies | High | 2/5/07 | 2/22/07 | Terri | 1938 | Referred to fraud | 31A-23a-107 (1),(2) 31A-23a-406 (5)(a) 31a-23-409 (6) |
| 54105 | Theft of trust monies | High | 2/5/07 | 2/22/07 | Terri | 1952 | Referred to fraud | 31A-23a-107 (1)(2) 31a-23-409 (6) 31A-23a-406 (5)(a) |
| 54106 | Theft of trust monies | High | 2/5/07 | 2/22/07 | Terri | 1952 | Referred to fraud | 31A-23a-107. (1)(2) 31A-23a-406 (5)(a) 31a-23-409 (6) |

Title Insurance Investigations

| I Case # | Alleged Violations | Priority | Date Opened | Date Closed | Staff Member | E-Case # | Recommended Action | Violations |
|----------|--|----------|-------------|-------------|--------------|----------|--|--|
| 54107 | Theft of trust monies | High | 2/5/07 | 2/22/07 | Terri | 1952 | Referred to fraud | 31a-23-409 (6) 31A-23a-406 (5)(a) 31A-23a-107 (2) |
| 54108 | Theft of trust monies | High | 2/5/07 | 2/22/07 | Terri | 1952 | Referred to fraud | 31A-23a-107 (1)(2) 31a-23-409 (6) 31A-23a-406(5)(a) |
| 54109 | Theft of trust monies | High | 2/5/07 | 2/22/07 | Terri | 1952 | Referred to fraud | 31a-23a-409 (6) 31A-23a-406(5)(a) 31A-23a-107 (1)(2) |
| 54110 | Theft of trust monies | High | 2/5/07 | 2/22/07 | Terri | 1952 | Referred to fraud | 31A-23a-406 (5)(a) 31a-23-409 (6) 31A-23a-107 (1)(2) |
| 54125 | Title agency is allowing unlicensed individuals to do closings. | Low | 2/13/07 | 3/13/07 | Sheila | | | 31A-23a-1(d), 31A-23a(5) |
| 54126 | Release \$100,000 to a company that was not a party to the transaction. They claim it was ordered by the company and the realtor. | Medium | 2/13/07 | | Sheila | | | 31A-23a-405(3)(b)(c) |
| 54127 | Escrow agent closed loan & gave money back to construction lender. Also insured over a notice of interest putting lender in 2nd place. Insured over various liens. | Low | 2/14/07 | | Sheila | | | R590-99 |
| 54129 | Possible out of state title agency conducting closings in the State of Utah. This company is out of California | Low | 2/15/07 | | Sheila | | | 31A-14-211(1)(a) |
| 54158 | Failure to pay taxes. | Low | 2/26/07 | | Sheila | | | 31A-23a-406(3)(b)(c) |
| 54167 | Refinance,mtg. broker did the signing and closing. No notary. | High | 2/28/07 | | Sheila | | | 31A-23a-406(1)(a) |
| 54168 | Out of state, Internet, working in Utah with out a license. | Medium | 2/28/07 | 3/29/07 | Sheila | 1986 | Cease and Desist order | 31A-23a-406(1)(a) 31A-23a-103 |
| 54187 | Failure to maintain a \$50,000 fidelity bond. | Low | 3/7/07 | 3/14/07 | Sheila | | Reinstated bond, close case. | 31A-23a-204(2)(a) |
| 54202 | Paid of Credit Cards when should have paid of second mtg. | High | 3/8/07 | | Sheila | | | R590-99-2 |
| 54203 | Failure to file Escrow Rates | Low | 3/13/07 | 3/13/07 | Sheila | 1966 | | R592-3 & R592-4 |
| 54214 | Failure to file Escrow Rates | Low | 3/13/07 | 3/13/07 | Sheila | 1967 | | R592-3 & R592-4 |
| 54215 | Failure to file Escrow Rates | Low | 3/13/07 | 3/13/07 | Sheila | 1969 | | R592-3 & R592-4 |
| 54216 | Failure to file Escrow Rates | Low | 3/13/07 | 3/13/07 | Sheila | 1971 | | R592-3 & R592-4 |
| 54217 | Failure to file Escrow Rates | Low | 3/13/07 | 3/13/07 | Sheila | 1974 | | R592-3 & R592-4 |
| 54218 | Failure to file Escrow Rates | Low | 3/13/07 | 3/13/07 | Sheila | 1978 | | R592-3 & R592-4 |
| 54219 | Failure to file Escrow Rates | Low | 3/13/07 | 3/13/07 | Sheila | 1979 | | R592-3 & R592-4 |
| 54220 | Failure to file Escrow Rates | Low | 3/13/07 | 3/13/07 | Sheila | 1980 | | R592-3 & R592-4 |
| 54221 | Failure to file Escrow Rates | Low | 3/13/07 | 3/13/07 | Sheila | 1968 | | R592-3 & R592-4 |
| 54222 | Respondent did not file new Escrow rates | Low | 3/13/07 | 3/13/07 | Sheila | 1972 | | R592-3 & R592-4 |
| 54223 | Failure to file Escrow Rates | Low | 3/13/07 | 3/13/07 | Sheila | 1973 | | R592-3 & R592-4 |
| 54224 | Failure to file Escrow Rates | Low | 3/13/07 | 3/13/07 | Sheila | 1975 | | R592-3 & R592-4 |
| 54225 | Failure to file Escrow Rates | Low | 3/13/07 | 3/13/07 | Sheila | 1976 | | R592-3 & R592-4 |
| 54226 | Failure to file Escrow Rates | Low | 3/13/07 | 3/13/07 | Sheila | 1977 | | R592-3 & R592-4 |
| 54228 | Failure to file Escrow Rates | Low | 3/13/07 | 3/13/07 | Sheila | 1970 | | R592-3 & R592-4 |
| 54230 | Possible Mtg. Fraud | Medium | 3/13/07 | | Gerri | | | |
| 54231 | Failure to file Escrow Rates | Low | 3/13/07 | 3/13/07 | Sheila | 1981 | | R592-3 & R592-4 |
| 54232 | Failure to file Escrow Rates | Low | 3/13/07 | 3/13/07 | Sheila | 1982 | | R592-3 & R592-4 |
| 54256 | Insured over a notice of Interest. | Low | 3/19/07 | 4/23/07 | Sheila | | Accepted explanation of why the lien was not valid. Close this case. | R590-99 |
| 54255 | Did not file escrow rates on time. | low | 3/13/07 | 3/19/07 | Sheila | | | R592-3 & R592-4 |
| 54257 | Individual is conducting closings without holding a license. | Medium | 3/20/07 | | Sheila | | | 31A-23a-203(5) 31A-23a-103 |

Title Insurance Investigations

| I Case # | Alleged Violations | Priority | Date Opened | Date Closed | Staff Member | E-Case # | Recommended Action | Violations |
|----------|--|----------|-------------|-------------|--------------|----------|---|--|
| 54262 | Title agency gave a reissue rate when it should not have been given. | High | 3/21/2007 | 5/21/2007 | Sheila | 2002 | Enforcement case | 31A-23a-402(2)(c)(i)(A) |
| 54293 | Possible forged signature | Medium | 3/27/2007 | | Gerri | | | 31A-31-103-(1)(a) |
| 54294 | Shared office space | Low | 3/27/2007 | | Gerri | | | 31A-23a-402(5)(a)(i)(ii)(b) & 31A-23a-402(8)(a)(v) |
| 54295 | Possible wrong deed recording | Low | 3/27/2007 | | Sheila | | | R590-99-4(A) |
| 54296 | Insured over lien | Medium | 3/27/2007 | | Sheila | | | R590-99-4(A) |
| 54297 | Escrow closed money never refunded from the acct. | High | 3/27/2007 | | Sheila | | | 31A-23a-409(6) |
| 54299 | Possible fiduciary violation | Medium | 3/27/2007 | | Gerri | | | |
| 54301 | Recorded a Deed before closing the transaction | Medium | 3/27/2007 | | Gerri | | | |
| 54302 | Possible rate violation | Medium | 3/27/2007 | | Sheila | | | 31A-23a-402(2)(c)(i)(A) |
| 54303 | Deed not recorded correctly | low | 3/27/2007 | 3/27/2007 | Sheila | | | |
| 54314 | Allegation that an unlicensed escrow officer was closing transactions for hispanic borrowers without proper identification. | High | 3/26/2007 | 3/29/2007 | Gerri | | | |
| 54328 | Title agency was suppose to pay off some items on the buyer. It was never done and the money is till being held with the title agency. | Low | 4/4/2007 | | Sheila | | | 31A-23a-406(3)(b)(c) |
| 54364 | | Low | 4/16/2007 | | Sheila | | | 31A-23a-406(3)(b) |
| 54366 | Complainant is a private lender. \$33,000 of monies held in trust are unaccounted for | Medium | 4/16/2007 | | Gerri | | | 31A-23a-409(6) |
| 54368 | Non-arms-length lease with option to purchase. Reason for complaint is unclear | Low | 4/16/2007 | | Sheila | | | |
| 54369 | Closed a transaction on property in Nevada; failed to follow escrow instructions and collect realtor document fee; failed to provide copy of closing documents to client for review prior to closing | Low | 4/16/2007 | | Gerri | | | 31A-23a-406 |
| 54370 | credit back to buyer from title agency | Medium | 4/16/2007 | | Sheila | | | 31A-23a-402(3)(b)(c) |
| 54371 | Improper tax prorations at settlement and a shortage of \$120. | Low | 4/16/2007 | | Sheila | | | 31A-23a-406 |
| 54372 | | Low | 4/16/2007 | | | | | |
| 54389 | Possible flipping of property then borrowed a large amount debt free on the property. | Medium | 4/19/2007 | | Sheila | | | 31A-23a-402(1)(a)(i)(ii)(B)(I)(II)(III) |
| 54390 | Release escrow funds without both parties consent | Low | 3/11/2007 | 4/26/2007 | Sheila | | | 31A-23a-402(3)(b)(c) |
| 54392 | Providing a title commitment upon listing: | Medium | 4/19/2007 | 5/16/2007 | Gerri | | Not enough proof | |
| 54414 | Virtual Office | Low | 4/25/2007 | 5/2/2007 | Sheila | | Send out Private letter of Admontion asking her to change bus. Address to where the records are kept. Home ect. Close case. | 31A-23a-412 |
| 54417 | Escrow officer did not tell them about the three day rescission and signature was not notarized. | Low | 4/25/2007 | | Sheila | | | 31A-23a-406(7) |
| 54422 | Sharing office space with builder / developer / mtg | Low | 4/26/2007 | | Sheila | | | 31A-23a-402(5)(a)(i)(ii)(b) & 31A-23a-402(8)(a)(v) |
| 54438 | Privacy Issues | Low | 4/30/2007 | | Sheila | | | R590-206-11 and R590-216-2 |
| 54439 | License lapsed, did not follow bulletin 90-1. | Low | 4/30/2007 | | Sheila | | | Bulletin 90-1 |
| 54461 | Violation of probation Docket 2006-050 PC, by failure to pay 2005 assessment, failure to amend agency license, failure to pay forfeiture on EC 1968. | Medium | 5/9/2007 | | Gerri | | | |
| 54503 | Failure to disburse homeowner's insurance premium to insurer. | low | 4/23/2007 | 5/24/2007 | Gerri | | Issue solved | |
| 54504 | Delay in payment of claim. | High | 4/24/2007 | 5/24/2007 | Gerri | | Referred to fraud | |
| 54505 | Offered a pkg. Deal to buy their insurance. | low | 5/24/2007 | 5/30/2007 | Sheila | | Incentive pkg. No violation. | 31A-23a-402(2)(c) |

Title Insurance Investigations

| I Case # | Alleged Violations | Priority | Date Opened | Date Closed | Staff Member | E-Case # | Recommended Action | Violations |
|----------------|--|-----------------------|------------------------|---------------------|--------------------|-------------------------|--------------------|----------------------|
| 54507 | Transaction closed in 1999, wherein an LOC was paid, but not closed out. Seller subsequently ran up the line to \$14,000 and defaulted. LOC was subsequently sold to another investor who is stating the payoff is now \$85,000. Neither the lender nor the title agency can provide records. Subsequent insurer has paid to stave off foreclosure, but problem still remains. | Medium | 4/19/2007 | | Gerri | | | 31A-23a-406(4)(6) |
| 54512 | credit back to buyer from title agency | Medium | 5/29/2007 | | Sheila | | | 31A-23a-402(3)(b)(c) |
| 54513 | Did not follow the REPC, did not escrow \$10,000 | Medium | 5/29/2007 | | Sheila | | | 31A-23a-402(3)(b)(c) |
| | Total number of cases open and closed | 210 | | | | | | |
| | | January Totals | February Totals | April Totals | May Totals | June Totals | | |
| | Open | 13 | 21 | 25 | 11 | | | |
| | Closed | 11 | 18 | 5 | 10 | | | |
| | | | | | | | | |
| | | July Totals | August Totals | Oct. Totals | Nov. Totals | Dec. 2006 Totals | | |
| | Open | | | | | 7 | | |
| | Closed | | | | | 11 | | |
| Revised 6/7/07 | | | | | | | | |